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**W. ANTHONY MILLS JR. & ASSOCIATES, LLC.  
2859 BANNING ROAD SUITE 201  
CINCINNATI, OHIO 45239  
CELL: 513-240-1625**

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**INDEX:**

**Re: Appeal for Violations #B201201131;**

#1 INDEX

#2A Copy of Initial Appeal, / #2B Supporting Narrative

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#6, 7 Copy of Violation Letter dated 10/18/2005

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#13, 14, 15, 16, 17, 18 Affidavit of Thomas W. Pitts

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#32 Copy of Latest Address Search Via Web for Property in Question.

ADDENDA

#33 Copy of Note from Gailene Hill to Owners.

# ZONING BOARD OF APPEALS

3300 Central Parkway, Cincinnati, Ohio 45225



## APPLICATION FOR APPEAL TO THE ZONING BOARD OF APPEALS

# RECEIVED

ZONING BOARD OF APPEALS  
DATE 8-3-2012

### FOR OFFICE USE ONLY

File No. \_\_\_\_\_  
Date Filed \_\_\_\_\_  
Date of Decision \_\_\_\_\_  
Appealed \_\_\_\_\_  
Hearing Date \_\_\_\_\_  
ZBA Decision \_\_\_\_\_  
Date of Decision \_\_\_\_\_

### SUBJECT PROPERTY

ADDRESS 5323 THOMPSON AVENUE  
BASE ZONING CLASSIFICATION RM-2.0  
ZONING OVERLAY PARTIAL HILLSIDE

APPELLANT W. ANTHONY MILLS JR & ASSOCIATES TELEPHONE (513) 240-1625  
ADDRESS 2859 BANNING ROAD, SUITE 201  
CITY CINCINNATI STATE OHIO ZIP CODE 45239  
EMAIL N/A

OWNER TOM PITTS & JENNIFER RENDER TELEPHONE \_\_\_\_\_  
ADDRESS 5323 THOMPSON AVENUE  
CITY CINCINNATI STATE OHIO ZIP CODE 45227  
EMAIL www.cretebusters.com

**AUTHORITY OF APPEAL** - Indicate the appropriate section of 1449-03 that qualifies you to make an appeal 1449-03.(a)

**NATURE OF APPEAL** - I am appealing a decision/order of the (indicate case #): B201201131 ITEMS 1, 2, 3

Director of City Planning and Buildings (1449-13) \_\_\_\_\_

Zoning Hearing Examiner (1449-15) \_\_\_\_\_

Historic Conservation Board (1449-15) \_\_\_\_\_

**JUSTIFICATION FOR APPEAL** - Attach a separate sheet explaining in detail the basis of your appeal.

### SUBMISSION REQUIREMENTS

- The applicant is required by Section 1449-15(b) of the Zoning Code to file within 21 days of filing notice of appeal; a complete record of the proceeding along with a transcript of all testimony.  
**FEES:** Residential - 1, 2, & 3, Family - \$500 Multi-Family/Commercial - \$750
- Eight copies of the complete case file, including this application and a transcript of any public hearing if applicable. No submittal will be accepted unless these materials are spiral bound or in a notebook, indexed and all pages numbered.

Signature W. Anthony Mills Date Aug 03, 2012

CPB 8/3/12  
10:25 AM

2B

W. ANTHONY MILLS JR. & ASSOCIATES, LLC.  
2859 BANNING ROAD SUITE 201  
CINCINNATI, OHIO 45239  
CELL: 513-240-1625

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8/2/2012

Office of the Zoning Board of Appeals  
3300 Central Parkway  
Cincinnati, Ohio 45225

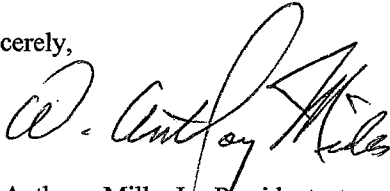
Re: Existing Property of:  
Tom Pitts & Jennifer Render  
@ 5323 Tompkins Avenue  
Cincinnati, Ohio 45227

To Whom It May Concern:

In regards to the alleged violations per B20121131 we respectfully request an appeal hearing of all (3) violations for the following reason(s) / basis:

1. Per the sworn affidavit of 4/19/2010 (see attached copies) the parking of commercial vehicles and storage of the business engaged upon (building & property maintenance) materials is per the affidavit placement and on-site verification by Mr. Ted Langston on/about July 27, 2012 – it is there-for our contention that we are in full and complete compliance in spirit and intent with afore-mentioned affidavit (s), and there-fore no violation of 1400-05.(b) City of Cincinnati Zoning Code exists.
2. Expansion of Non-Conforming Use, the subject building is currently under permitted construction as a residential garage and is being utilized as such. Please clearly define the definition used, or zoning application of the term “business use”-vs-the current and continued residential use of same; it is our intent that after final construction & inspection by Code Officials that the “Certificate of Use” and occupancy clearly state that the intended usage of building is and shall remain as permitted a residential accessory structure. It is further our intent to file for an expansion of the non-conforming use variance after the completion of these hearings.
3. Portable Storage Containers: Again, per the accepted sworn affidavit of 4/19/2010 in said document contains the notification of three (3) large storage containers as well as four (4) roll off boxes, which were all approved of at that time, therefore any more restrictive codes and governances put into effect after that date must take into consideration the “grandfathering” as conditions existed prior to passage of same, thusly no violation of 1419\_84. exists.

Sincerely,



W. Anthony Mills, Jr., President  
W. Anthony Mills Jr., & Associates, LLC

# City of Cincinnati

Department of Community Development  
Division of Property Maintenance Code Enforcement



Milton R. Dohoney Jr.  
*City Manager*

Michael L. Cervay  
*Director*

Edward P. Cunningham  
*Division Manager*

One Centennial Plaza  
705 Central Avenue  
Fourth Floor  
Cincinnati, Ohio 45202  
Phone (513) 352-3275  
Fax (513) 564 -1708

PITTS THOMAS  
5323 TOMPKINS  
CINCINNATI OH 45227

Re: 5323 TOMPKINS AV Auditor ID BPP: 003600010017

## NOTICE OF VIOLATION

Case number: B201201131

**NOTICE DATE: July 03, 2012**

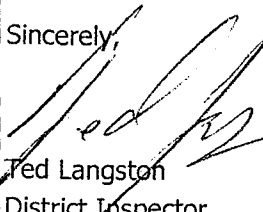
To: PITTS THOMAS

**This letter is a notice of violation and order issued pursuant to 1451-01. Cincinnati-Ohio Zoning Code (CZC).** Each code violation in the attached **violation listing** includes the action necessary to correct the violation. Unless otherwise specified in a violation, you are required to make the noted corrections by 08/02/2012. **Please call me at 352-3944 between 7:00 to 9:00 a.m. to acknowledge receipt of this notice and ask questions.** If I do not hear from you within ten days of the date of this notice, a copy of this notice will be posted on the building. Failure to correct the noted defects within the time specified could result in civil or criminal enforcement actions.

You have a right to appeal certain orders under Sections 1449-09 CZC within 30 days of the date of this notice by filing an appeal with the Zoning Board of Appeals at 3300 Central Parkway, Cincinnati, Ohio, 45225.

Your cooperation in correcting these violations will assist the City of Cincinnati in maintaining quality housing and property conditions in your neighborhood.

Sincerely,

  
Ted Langston  
District Inspector

Doc#CODE6808



4

**VIOLATION LISTING**

07/03/2012

B201201131

1 Per the meeting on June 26, 2012

**STORAGE OF VEHICLES-CONTRACTOR**

Per the affidavit on file sworn and subscribed to April 19th 2010, parking of commercial vehicles and storage will be behind berm and at the rear of house in the west-southwest quadrant.

Discontinue the storage of motor vehicles and contractor material in the side yard. Parking and storage must remain in the rear yard west-southwest quadrant.

1400-05. (b) Cincinnati Ohio Zoning Code.

2 Per the meeting on June 26, 2012

**EXPANSION OF NONCONFORMING USE**

A residential garage was constructed under a residential alteration permit that has yet to be completed. The garage is used for business storage and constitutes an illegal expansion of the nonconforming commercial use of the property. Discontinue illegal use of the garage.

The nonconforming use of the premises has been expanded without first having applied for expansion and without having obtained approval from the zoning hearing examiner. Return the use to that lawfully existing at the time of adoption of the zoning code.

§ 1447-03. - Authority to Continue and Maintain.

Nonconforming uses and structures may be continued as follows:

(a) Continuation of Nonconforming Use. A nonconforming use that lawfully occupies a structure or a land site on the effective date of this Code may be continued so long as it remains otherwise lawful, subject to the standards and limitations in this chapter.

(b) Continuation of Nonconforming Structure. A nonconforming structure that lawfully occupies a lot on the effective date of the Cincinnati Zoning Code and that does not conform with the standards for yards, buffers, height, gross floor area of structures, driveways, location of parking or open space for the district in which the structure is located may be used and maintained, subject to the standards and limitations in this chapter.

(c) Continuation of Nonconforming Accessory Uses and Structures. The continued existence of nonconforming accessory uses and structures is subject to the provisions governing principal nonconforming uses and structures set forth in this chapter.

(d) Maintenance, Repair and Structural Safety. Normal maintenance and incidental repair may be performed on a conforming structure that contains a nonconforming use or on a nonconforming structure.

Per the meeting on June 26, 2012

**PORTABLE STORAGE CONTAINER**



Discontinue use of portable storage containers not in compliance with section 1419-24.24 CZC

§ 1419-24. - Portable Storage Containers.

(a) Location. Portable storage containers must be located on a paved surface and be setback a minimum of ten feet from the front lot line.

(b) Maximum Size. The maximum size for a portable storage container is 8 feet by 16 feet with a maximum height of 8 feet 6 inches.

(c) Time Limitation. Portable storage containers are permitted for a total of 30 days within a calendar year.

(d) Number Permitted. Two portable storage containers may be placed on a lot at the same time.



# City of Cincinnati

Department of Buildings and Inspections  
Existing Building Inspection Division



Valerie A. Lemmie  
City Manager

William V. Langevin,  
Chief Building Official  
Director

Ronald D. Thomas  
Assistant Director

October 18, 2005

RENDER JENNIFER J  
5323 TOMPKINS AVE  
CINCINNATI OH 45227-2122

Business Development  
and Permit Center  
3300 Central Parkway  
Cincinnati, Ohio 45225  
Phone (513) 352-3275  
Fax (513) 364-1708

Re: 5323 TOMPKINS AV CINC  
BPP: 003600010017  
**NOTICE OF VIOLATION**  
Case number: BC20050230

To: RENDER JENNIFER J

This letter is a notice of violation and is issued pursuant to 1101-61 Cincinnati Building Code (CBC). Each code violation in the attached violation notice includes the action necessary to correct the violation. Unless otherwise specified in a violation, you are required to make the noted corrections by November 17, 2005. Please call me at 352-3275 between 7:00 to 9:00 A.M. to acknowledge receipt of this notice and ask questions. If I do not hear from you within ten days of the date of this notice, a copy of this notice will be posted on the building. Failure to correct the noted defects within the time specified could result in civil or criminal enforcement actions. All repairs, except minor repairs and decorating, require permits. Permits may be obtained 3300 Central Parkway, Cincinnati, Ohio, 45225.

You have a right to appeal certain orders under Section 1101-81 CBC within 30 days of the date of this notice by filing an appeal with the secretary of the Board of Appeals at 3300 Central Parkway, Cincinnati, Ohio, 45225.

Existing painted surfaces disturbed, if any, during this work may contain lead. Enclosed is a fact sheet pertaining to lead hazards. Please contact the Cincinnati Health Department at 357-7420 for more information on lead hazards.

The City of Cincinnati has enacted various codes that regulate housing standards and property maintenance throughout the City. Maintaining our homes and properties ensures the availability of decent and safe housing, contributes to an improved quality of life for all residents, and leads to an increase or stabilization of property values. Your cooperation in correcting these violations will assist the City of Cincinnati in maintaining quality housing and property conditions in your neighborhood.

Sincerely,

Ted Langston  
District Inspector

DocID-30065208

October 18, 2005

**1 CONFORMANCE WITH CBC**

You are hereby directed to make all work conform with the provisions listed in the CBC.

**CBC SECTION: 1101-11.1 Conformance: ~~discontinue~~ trucking business/ parking of commercial vehicles.**

No building or its equipment or appurtenance ~~shall~~ be constructed, installed, altered, relocated, repaired, removed, or ~~otherwise~~ except in conformity with the provisions of the CBC and any authorized rule or approval of the Director of Buildings and Inspections made and issued thereunder.



# City of Cincinnati

Department of Buildings and Inspections  
Existing Building Inspection Division



Milton R. Dohoney, Jr.  
City Manager

William V. Langevin,  
Chief Building Official  
Director

Ronald D. Thomas  
Assistant Director

04/02/2007

RENDER JENNIFER J  
5323 TOMPKINS AVE  
CINCINNATI OH 45227-2122

Business Development  
and Permit Center  
3300 Central Parkway  
Cincinnati, Ohio 45225  
Phone (513) 352-3275  
Fax (513) 564-1708

Re: 5323 TOMPKINS AV Auditor ID BPP: 003600010017

## NOTICE OF VIOLATION

Case number: B200700454

To: RENDER JENNIFER J

This letter is a notice of violation and order issued pursuant to 1451-01, Cincinnati-Ohio Zoning Code (CZC). Each code violation in the attached violation listing includes the action necessary to correct the violation. Unless otherwise specified in a violation, you are required to make the noted corrections by 05/02/2007. Please call me at 352-3275 between 7:00 to 9:00 A.M. to acknowledge receipt of this notice and ask questions. If I do not hear from you within ten days of the date of this notice, a copy of this notice will be posted on the building. Failure to correct the noted defects within the time specified could result in civil or criminal enforcement actions.

You have a right to appeal certain orders under Sections 1449-09 CZC within 30 days of the date of this notice by filing an appeal with the Zoning Board of Appeals at 3300 Central Parkway, Cincinnati, Ohio, 45225.

Your cooperation in correcting these violations will assist the City of Cincinnati in maintaining quality housing and property conditions in your neighborhood.

Sincerely,

Ted Langston  
District Inspector

Doc#CDE6808

352-3944

6/5-8555

THE CITY OF CINCINNATI OFFICIAL RECORD

**1 PARKING OR STORING COMMERCIAL VEHICLE**

**SECTIONS: 1400-05 (b) & 1403-05 and 1405-05**

Discontinue storing or parking the commercial vehicle(s) with greater than two ton capacity, and/or not licensed to the occupant of the residential property .

A Commercial Vehicle is defined as: "Commercial vehicle" mean any motorized vehicle other than one used for non-commercial personal or family transportation, recreation, van pooling or ride sharing. Commercial vehicles include commercial trucks, buses, buses used as recreational vehicles, commercial vans, tractors, semi-trailers, motorized farm vehicles, earth moving equipment and construction equipment.

L11 One commercial vehicle completely enclosed in a garage may be parked or stored on the lot with the following exceptions:

- b. One commercial vehicle with current license owned by a resident of the residential property on which it is stored or parked not to exceed two tons in capacity.
- c.. Recreational vehicles, watercraft and personal trailers may be parked on the lot beyond the front yard.

**2 PARKING ON UNPAVED SURFACES**

Discontinue parking motor vehicle on unpaved surface.

**1425-37 (b)**

(b) Maintenance. Parking areas, maneuvering aisles and loading spaces must be maintained in good condition and paved with asphalt, concrete, interlocking masonry pavers or surfaced with open honeycomb paving blocks which allow grass or ground cover to grow except as otherwise authorized by the Director of Buildings and Inspections.

**3 DISCONTINUE NONPERMITTED USE**

Cincinnati Zoning Code, SECTION: 1400-05 (b)

Discontinue illegal use of the premises (the use identified and described in the Violation Text is not permitted within the Zoning District)

**4 STORAGE OF VEHICLES-CONTRACTOR**

Discontinue the storage of motor vehicles and contractor material at the above mentioned location.

**1400-05. (b) Cincinnati Ohio Zoning Code.**



June 6, 2007

Mr. Thomas W. Pitts  
Owner Crete-Busters  
5323 Tompkins Avenue  
Cincinnati, Oh 45227  
Ph: 513-271-4226

Mr. Reginald V. Lyons  
Supervisor of Zoning  
City of Cincinnati Development Center  
3300 Central Parkway  
Cincinnati, OH 45225

RE: Zoning and use of 5323 Tompkins Avenue

Dear Mr. Lyons,

I am submitting the enclosed documentation as a request for your department to issue My 5323 Tompkins Avenue residence/business a certificate of non-conforming use. The documentation provided clearly indicates that a contracting business has been located at the subject property for over half of a century. Your employees at the Business Development and Permit Center have been most helpful clarifying the codes as well as aiding my research to document and establish the long existence of the business use of my 5323 Tompkins property.

The public documents indicate that an "anonymous caller" has repeatedly and seriously misled the inspector into issuing a notice of violation (Exhibit 5) where no violation exists. As background, after the first of the anonymous complaints was received by your office, I received a letter from the City indicating a complaint against my use of the property. Shortly after the initial letter, the apartment complex owner of 5339 Tompkins Avenue, adjacent to my property, approached me through an agent, soliciting for the purchase of my 5323 Tompkins property though it was not listed for sale. After I declined the unsolicited lowball offer, the city inspector made his first visit, known to me, to my property. I believe that this "coincidental time line" is very suspicious considering the same individual has also purchased additional property in close proximity to mine, just to the west of my adjacent neighbor. (See Map exhibit 1)

Ultimately, this anonymous complaint has resulted in my being issued an order for a pre-prosecution hearing. I believe that this is unwarranted as I have explained to the inspector the facts of the matter indicating that the business use of 5323 Tompkins Ave. has been existing for

over half a century.

To save your department bother and time I ask you, as zoning supervisor, to review the following documentation and affidavits, particularly exhibits 2a, 2b and 2c. Additionally of importance is the fact that prior to the purchase of the 5323 Tompkins property, I not only researched the permitted uses but worked in conjunction with "M House", the Madisonville redevelopment organization at that time in 1979. Based upon these indisputable facts, I believe that you have the ability to issue a Certificate of Permitted Non-conforming Use or Zoning Compliance that I could produce and that your department could cite if the anonymous calls should continue.

**1401-01-N Noncomplying Structure.**

"Noncomplying structure" means a structure that was lawfully erected but that does not comply with the currently applicable requirements and standards prescribed in the regulations for the district in which the structure is located by reason of adoption or amendment of this ordinance.

(Ordained by Ord. No. 15-2004, eff. Feb 13, 2004)

**1401-01-N1 Nonconforming Use.**

"Nonconforming use" means a use of a structure or land that was lawfully established and maintained, but that does not conform with currently applicable use regulations for the district in which it is located by reason of adoption or amendment of this ordinance.

(Ordained by Ord. No. 15-2004, eff. Feb 13, 2004)

From my recent research, it is my understanding that the City of Cincinnati Zoning Code is to promote the economic stability of existing land use and protect them from intrusions by inharmonious land uses. ( Z.C. sec. 1400-03(e). After over half a century, the consistent part business use of 5323 Tompkins Avenue is definitely an existing use of that property. Indeed, my family's 5323 Tompkins Avenue Property is now bordered by the least restrictive zoned district in the current district hierarchy, manufacturing general (MG) Z.C. Sec. 1400-15(y) and includes a set of rail road tracks running along the front of my front property line and across Tompkins Ave..

In my list of violations, the inspector has cited Z.C. Section 1403-05 which is listed for single family zoned districts, the most restrictive use zoning of all listed. I believe that this excessively restrictive citation is in error considering that the most current zoning districting places 5323 Tompkins Ave. in the RM-2.0 district. ( Z.C. Sec. 1400-15(g)). (See Exhibit 1)

In the RM-2.0 Residential Multi Family District, as my property is currently zoned, the regulations specifically allow for non-residential and non-conforming uses and structures. Z.C. Section 1405-01(c), Schedule 1405-05 Last listing, Sec. 1447. (See exhibit 4)

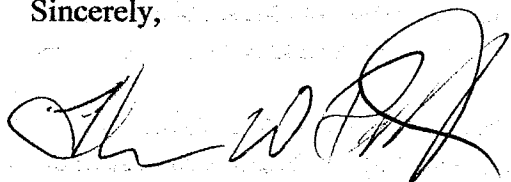
Additionally, the Inspector cited Z.C. Section 1405-05-L11 and 1425-37(b) which would not appropriately apply to my long continuous established use of the 5323 Tompkins Ave. property. The cited requirements for off street parking and loading specifically indicates that it applies to new areas or new uses created *after* the listed effective date of the zoning regulation. (Z.C. 1425-03, 1425-09, 1405-07 Table inset Nonconforming uses vehicle accommodation. The actual existing conditions of the 5323 Tompkins Ave. property are that my business vehicles park on an existing gravel pad in the rear of the property, towards what, in 1979 at the time of our purchase, was undeveloped woods. The drive way from the front line of my residence to the Public Way is maintained as asphalt. These are existing and continuing conditions and uses since at least 1979 when my parents purchased the 5323 Tompkins Ave. Property. As this property is also my personal residence, the commercial vehicles are not used after 10PM and there are no retail sales increasing the traffic.

The Internet Documents a table of ordinances modifying the 1979 Cincinnati Municipal code declaring that the Zoning code, Chapter 14, has been changed on 99 different dates since I've been using and living at the 5323 Tompkins Ave. property, thirteen times in 1984 alone. There is no way that a citizen can be expected to keep up with these changes by modifying their property to be in conformance with the most current requirements. Indeed, just on June 2, 2007, another new Municipal Code became effective.

In summary, the documentation clearly indicates that a joint residence-contractor business has been established in open and continuous use since before the effective date of the Zoning Code and complies with that same code by way of Section 1447. The Notice of Violation case number B200700454 was issued in error and a written dismissal of the case should be issued. Additionally, I request that the Non-conforming use and outbuilding at 5323 Tompkins Avenue be formally acknowledged as being in legal compliance of the Zoning Code.

Please call me as I would like to meet with you to conclude this issue.

Sincerely,



Thomas W. Pitts

IN THE JURISDICTION OF THE CITY OF CINCINNATI  
HAMILTON COUNTY, OHIO

Thomas W. Pitts  
Business Co-owner  
Crete-Busters  
5323 Tompkins Avenue  
Cincinnati, Ohio 45227  
Defendant .

Case No. B200700454  
Zoning Compliance  
5323 Tompkins Av.

**AFFIDAVIT OF THOMAS W. PITTS**

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I, Thomas W. Pitts being duly sworn according to law, and based upon my personal knowledge depose and state as follows:

1. In 1979 my parents, Frances W. Pitts & Thomas H. Pitts purchased the property located at 5323 Tompkins Av., Cincinnati, Ohio 45227, specifically to run a home based business.
2. I have resided at and run my father's and my business at the 5323 Tompkins Ave. property openly and continuously since 1979 to the present, for a period in excess of 28 years. During that time, I performed work for the City of Cincinnati Park board and City of Cincinnati Metro Housing.
3. I recall that in 1979, the 5323 Tompkins Ave. property was Zoned R4-T,

Transitional zone) as I personally researched the zoning issues on the property prior to purchase to ensure that the intended business use was permitted. This process included working closely with "M House", the Madisonville redevelopment organization.

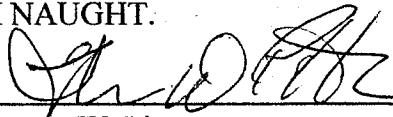
4. I have personal knowledge of the 5323 Tompkins Property and the certain specific existing on site construction business, conditions, and accessory out buildings used by the business at that property at the time of the 1979 transaction. I was personally involved and present at the 5323 Tompkins property as part of my duties as a son during my parents purchase in 1979. I specifically recall discussions that the adjacent properties to either side of the 5323 Tompkins property had previously been joint residence/business operating from those adjacent properties including one acting as a funeral home for a period of time..
5. The 5323 Tompkins Ave property is owned by my legal wife, Jennifer J Render and I have a personal interest in the property and its value of use through my Dower rights.
6. On about August 15, 2005, I was approached by an agent of the then new owner of the adjacent multifamily property located at 5339 Tompkins Ave., whom expressed a desire to purchase my property for a low price, though the property was not listed for sale. I declined the offer and stated that I had no interest in selling. Shortly before this offer, I received a letter from the City indicating a complaint against my long continuous established use of the 5323 Tompkins Ave property since 1979.

- 15
7. It is my understanding that there have been other similar anonymous complaints since that time where I explained to the inspector that I had been an existing business in this location since 1979. To my knowledge, those complaints resulted in no action toward my established use of the 5323 Tompkins property by the City until recently.
  8. I believe that the 5323 Tompkins Ave. Property at which I reside and my contracting business located is in compliance with the City of Cincinnati Code specifically by way of Section 1427, Existing Nonconforming Use.
  9. Following attached and marked as exhibits are true and accurate copies of:
    - a. City of Cincinnati Zoning map including 5323 Tompkins Avenue dated 5/29/2007. (Exhibit 1)
    - b. Cincinnati City Directory from 1964 by Williams Directory Publishers (Exhibit 2a) indicating existing businesses at almost every property on Tompkins Ave. including my 5323 Tompkins Ave. property.
    - c. Cincinnati City Directory from 1982 (Exhibit 2b) indicating my continuing business use, Tom Pitts Landscape Service.
    - d. 2000 Cincinnati Ohio Polk city Directory (Exhibit 2c) indicating my continuing business use as Crete-Busters.
    - e. Property report documents for 5323 Tompkins Ave. from the Hamilton County Auditor dated From 1-27-71 to 5-23-2007.(Exhibit 3)
    - f. Current Zoning Code Chapter 14, Nonconforming Use and structures, Municipal Code, City of Cincinnati, Ohio Dated June 2, 2007.(Exhibit 4)



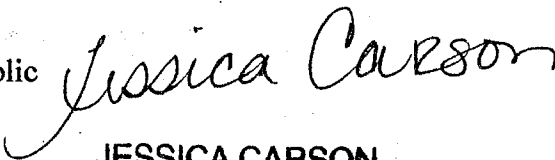
g. City of Cincinnati Notice of Violation dated 04/02/2007. (Exhibit 5)

FURTHER AFFIANT SAYETH NAUGHT:

  
Thomas W. Pitts

Sworn to and subscribed before me this 7 day of June, 2007

Notary Public



**JESSICA CARSON**  
Notary Public, State of Ohio  
My Commission Expires Mar. 27, 2012

**CERTIFICATE OF SERVICE**

I hereby certify that I have served by hand delivery a true and accurate copy of the foregoing Affidavit of Thomas W. Pitts, owner Crete-Busters, upon Reginald Lyons, Supervisor of Zoning, City of Cincinnati Development Center, 3300 Central Parkway, Cincinnati, OH 45225, this \_\_\_\_\_ day of June, 2007.

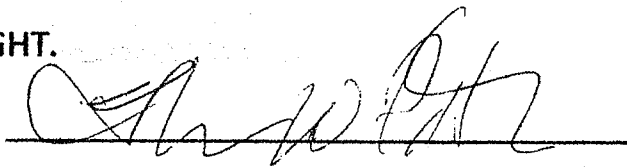
\_\_\_\_\_  
Thomas W. Pitts  
Owner Crete-Busters  
5323 Tomkins Avenue  
Cincinnati, OH 45227  
(513) 271-4226

This affidavit is hereby made a part of the previous filings dated;  
6-7-2007 and 4-19-2010.

These are the non-conforming items at 5323 Tompkins Avenue;  
Cincinnati, Ohio, 45227.

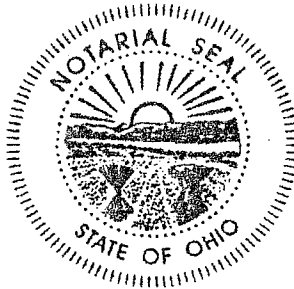
- \*Partial truck parking on gravel.
- \*Four trucks over two tons (?)
- \*Two Bobcat skid loaders.
- \*Two excavators.
- \*Two large standby generators.
- \* 768 square feet pole building/garage.
- \*Miscellaneous Bobcat and excavator buckets and attachments.
- \*Miscellaneous tools and small equipment in garage and storage containers.
- \*Three large storage containers.
- \*Four roll-off boxes.
- \*Three equipment trailers.

FURTHER AFFIANT SAYETH NAUGHT.



Thomas W. Pitts

Sworn to and subscribed before me this 21 day of June, 2010.



JESSICA CARSON  
NOTARY PUBLIC  
STATE OF OHIO  
Comm. Expires  
March 27, 2012  
Recorded in  
Hamilton County

This is an updated Affidavit and is hereby made a part of the original filing dated; June 7, 2007.

Address: 5323 Tompkins Avenue Cincinnati, Ohio 45227

Parcel ID: 036-0001-0017-00

Use: Residence and Business

The residence has been used for a business prior to 1964.  
See supporting documents outlined in original filing.

As indicated in the attached documents the property at 5323 Tompkins Avenue, Cincinnati, Ohio 45227 has not been vacant or abandoned from the dual use for any period of time of 365 consecutive days.

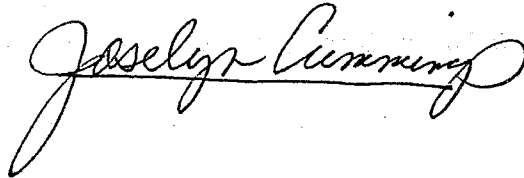
The parking of commercial vehicles and storage will be behind berm and at the rear of house in the west-southwest quadrant.

FURTHER AFFIANT SAYETH NAUGHT.

  
Thomas W. Pitts

Sworn to and subscribed before me this 19<sup>th</sup> day of April, 2010

JOSELYN CUMMINGS  
Notary Public, State of Ohio  
My Commission Expires Mar. 15, 2014



**IN THE JURISDICTION OF THE CITY OF CINCINNATI  
HAMILTON COUNTY, OHIO**

Jennifer J. Render  
Owner  
Crete-Busters  
2353 Tompkins Avenue  
Cincinnati, Ohio 45227

Defendant .

Case No.

Zoning Compliance  
5323 Tompkins Av.

**AFFIDAVIT OF JENNIFER J. RENDER**

---

I, Jennifer J. Render being duly sworn according to law, and based upon my personal knowledge depose and state as follows:

1. I am the owner and one of the occupants of the property located at 5323 Tompkins Av., Cincinnati, Ohio 45227.
2. I am the co-owner of the business Crete Busters LLC and have direct personal knowledge that it has operated exclusively from the 5323 Tompkins Av. property since its inception.
3. I am the legal wife of Thomas W. Pitts and have personal knowledge that he also

This affidavit is hereby made a part of the previous filings dated;

6-7-2007 and 4-19-2010.

These are the non-conforming items at 5323 Tompkins Avenue;

Cincinnati, Ohio, 45227.

\*Partial truck parking on gravel.

\*Four trucks over two tons (?)

\*Two Bobcat skid loaders.

\*Two excavators.

\*Two large standby generators.

\* 768 square feet pole building/garage.

\*Miscellaneous Bobcat and excavator buckets and attachments.

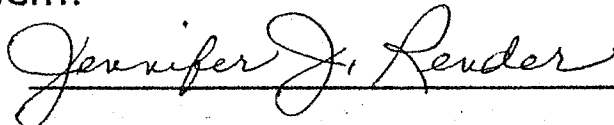
\*Miscellaneous tools and small equipment in garage and storage containers.

\*Three large storage containers.

\*Four roll-off boxes.

\*Three equipment trailers.

FURTHER AFFIANT SAYETH NAUGHT.



Jennifer J. Render

Sworn to and subscribed before me this 21 day of June, 2010.



JESSICA CARSON  
NOTARY PUBLIC  
STATE OF OHIO  
Comm. Expires  
March 27, 2012  
Recorded In  
Hamilton County

This is an updated Affidavit and is hereby made a part of the original filing dated; June 7, 2007.

Address: 5323 Tompkins Avenue Cincinnati, Ohio 45227

Parcel ID: 036-0001-0017-00

Use: Residence and Business

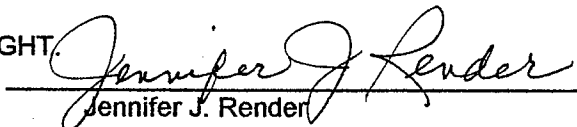
The residence has been used for a business prior to 1964.

See supporting documents outlined in original filing.

As indicated in the attached documents the property at 5323 Tompkins Avenue, Cincinnati, Ohio 45227 has not been vacant or abandoned from the dual use for any period of time of 365 consecutive days.

The parking of commercial vehicles and storage will be behind berm and at the rear of house in the west-southwest quadrant.

FURTHER AFFIANT SAYETH NAUGHT.

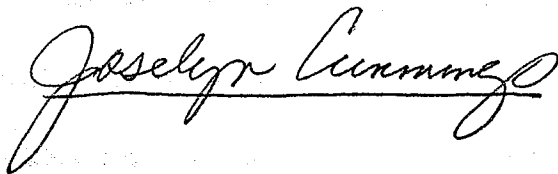
  
Jennifer J. Render

Sworn to and subscribed before me this 19<sup>th</sup> day of April, 2010

JOSELYN CUMMINGS

Notary Public, State of Ohio

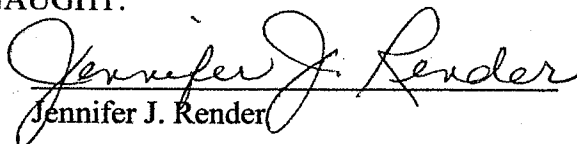
My Commission Expires Mar. 15, 2014



is a co-owner of the business Crete Busters LLC and maintained a contractor's business at the 5323 Tompkins Property prior to my ownership.

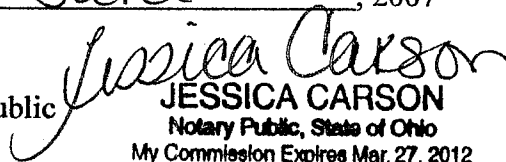
4. The property at 5323 Tompkins Av. was conveyed to me from my husband's mother, the late Frances W. Pitts. The County Auditor's conveyance is dated 6-30-92. Exhibits 3a and 3b.

FURTHER AFFIANT SAYETH NAUGHT.

  
Jennifer J. Render

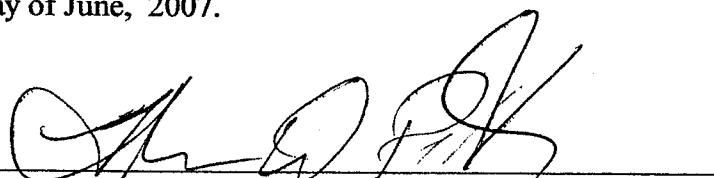
Sworn to and subscribed before me this 7 day of June, 2007

Notary Public

  
JESSICA CARSON  
Notary Public, State of Ohio  
My Commission Expires Mar. 27, 2012

### CERTIFICATE OF SERVICE

I hereby certify that I have served by hand delivery and regular U.S. Postal Service mail, true and accurate copy of the foregoing Affidavit of Jennifer J. Render, owner upon Reggie Lyons, Supervisor of Zoning, City of Cincinnati Development Center, 3300 Central Parkway, Cincinnati, OH 45225, this 7 day of June, 2007.



Thomas W. Pitts  
Owner Crete-Busters  
5323 Tomkins Avenue  
Cincinnati, OH 45227

# City of Cincinnati

Department of Community Development  
Division of Property Maintenance Code Enforcement



Milton R. Dohoney Jr.  
*City Manager*

Michael L. Cervay  
*Director*

Edward P. Cunningham  
*Division Manager*

05/26/2010

RENDER JENNIFER J  
5323 TOMPKINS AVE  
CINCINNATI OH 45227-2122

One Centennial Plaza  
705 Central Avenue  
Fourth Floor  
Cincinnati, Ohio 45202  
Phone (513) 352-3275  
Fax (513) 564 -1708

Re: 5323 TOMPKINS AV Auditor ID BPP: 003600010017

## NOTICE OF VIOLATION

Case number: B201000220

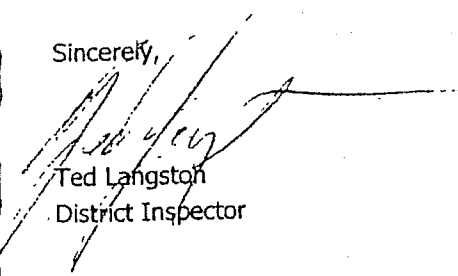
To: RENDER JENNIFER J

**This letter is a notice of violation and order issued pursuant to 1451-01. Cincinnati-Ohio Zoning Code (CZC).** Each code violation in the attached **violation listing** includes the action necessary to correct the violation. Unless otherwise specified in a violation, you are required to make the noted corrections by 06/25/2010. **Please call me at 352-3944 between 7:00 to 9:00 A.M. to acknowledge receipt of this notice and ask questions.** If I do not hear from you within ten days of the date of this notice, a copy of this notice will be posted on the building. Failure to correct the noted defects within the time specified could result in civil or criminal enforcement actions.

You have a right to appeal certain orders under Sections 1449-09 CZC within 30 days of the date of this notice by filing an appeal with the Zoning Board of Appeals at 3300 Central Parkway, Cincinnati, Ohio, 45225.

Your cooperation in correcting these violations will assist the City of Cincinnati in maintaining quality housing and property conditions in your neighborhood.

Sincerely,

  
Ted Langston  
District Inspector

Doc# CODE6808





**VIOLATION LISTING**

05/26/2010

B201000220

**1 PARKING OR STORING COMMERCIAL VEHICLE**

SECTIONS: 1400-05 (b) &amp; 1403-05 and 1405-05

Discontinue storing or parking the commercial vehicle(s) with greater than two ton capacity, and/or not licensed to the occupant of the residential property .

A Commercial Vehicle is defined as: "Commercaill vehicle" mean any motorized vehicle other than one used for non-commercial personal or family transportation, recreation, van pooling or ride sharing. Commercial vehicles include commercial trucks, buses, buses used as recreational vehicles, commercial vans, tractors, semi-trailers, motorized farm vehicles, earth moving equipment and construction equipment.

L11 One commercial vehicle completely enclosed in a garage may be parked or stored on the lot with the following exeptions:

b. One commercial vehicle with current license owned by a resident of the residential property on which it is stored or parked not to exceed two tons in capacity.

c.. Recreational vehicles, watercraft and personal trailers may be parked on the lot beyond the front yard.

**2 PARKING ON UNPAVED SURFACES**

Discontinue parking motor vehicle on unpaved surface.

1425-37 (b)

(b) Maintenance. Parking areas, maneuvering aisles and loading spaces must be maintined in good conrition and paved with asphalt, concrete, interlocking masonry pavers or surfaced with open honeycomb paving blocks which allow grass or ground cover to grow except as otherwise authorized by the Director of Buildings and Inspections.



Milton R. Dohoney Jr.  
City Manager

Michael L. Cervay  
Director

Edward P. Cunningham  
Division Manager



# City of Cincinnati

Department of Community Development  
Division of Property Maintenance Code Enforcement

August 25, 2010

RENDER JENNIFER J  
5323 TOMPKINS AVE  
CINCINNATI OH 45227-2122

Two Centennial Plaza  
805 Central Avenue  
Seventh Floor  
Cincinnati, Ohio 45202  
Phone (513) 352-3275  
Fax (513) 564-1708

Re: 5323 TOMPKINS AV CINC St: 1 Fl: 1 Unit: 1 003600010017  
Case number: B201000220

## NOTICE OF PRE-PROSECUTION HEARING

To: RENDER JENNIFER J

On 05/26/2010, a notice containing violations of the Cincinnati Zoning Code concerning the subject property was sent to you as owner of record. That notice stipulated a reasonable time for you to bring this property into compliance with the code. This time has expired and as of the date of this notice, the inspector reports that total compliance with the orders has not been achieved.

**This is to notify you that a Pre-Prosecution Hearing will be held on 09/02/2010 at 09:00 AM, in Two Centennial Plaza, Suite 700, 805 Central Avenue, Cincinnati, Ohio, 45202. This is an informal hearing to determine whether or not legal action should be taken against you.**

Legal actions that may be taken including civil citation and civil fine, criminal prosecution or civil action in the Hamilton County Common Pleas Court. Failure to comply with lawful orders of the Director of Buildings and Inspections is a misdemeanor of the first degree punishable by not more than \$1000.00 fine and/or a maximum 180 days imprisonment. Each and every day on which a violation is allowed to continue shall constitute a separate offense. Civil remedies include, but are not limited to, a civil fine of \$500, or appointment of a receiver. You may either appear in person or be represented by a duly authorized representative. If you do not appear at this hearing or comply with these violations, the case will be submitted without further notice to the City Solicitor for institution of legal proceedings.

Sincerely,

Lonnie Wise  
Area Supervisor

Doc ID CODE6840

B201000220



**VIOLATION LISTING**

05/26/2010

B201000220

**1 PARKING OR STORING COMMERCIAL VEHICLE**

SECTIONS: 1400-05 (b) &amp; 1403-05 and 1405-05

Discontinue storing or parking the commercial vehicle(s) with greater than two ton capacity, and/or not licensed to the occupant of the residential property .

A Commercial Vehicle is defined as: "Commercaile vehicle" mean any motorized vehicle other than one used for non-commercial personal or family transportation, recreation, van pooling or ride sharing. Commercial vehicles include commercial trucks, buses, buses used as recreational vehicles, commercial vans, tractors, semi-trailers, motorized farm vehicles, earth moving equipment and construction equipment.

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b. One commercial vehicle with current license owned by a resident of the residential property on which it is stored or parked not to exceed two tons in capacity.

c.. Recreational vehicles, watercraft and personal trailers may be parked on the lot beyond the front yard.

**2 PARKING ON UNPAVED SURFACES**

Discontinue parking motor vehicle on unpaved surface.

1425-37 (b)

(b) Maintenance. Parking areas, maneuvering aisles and loading spaces must be maintined in good conrition and paved with asphalt, concrete, interlocking masonry pavers or surfaced with open honeycomb paving blocks which allow grass or ground cover to grow except as otherwise authorized by the Director of Buildings and Inspections.



Gailene Hill, P.E.  
Senior Building Plans Examiner  
Business Development & Permit Center  
3300 Central Parkway  
Cincinnati, Ohio 45225

September 20, 2010 (1)

Re: 5323 Tompkins Avenue 003600010017  
Case number: B201000220

Ms. Hill,

We have attached photos, insurance and other corroborating paperwork showing that in spite of what you have been led to believe, we have in fact had large trucks at 5323 Tompkins Avenue for many years.

Article 1-Photo of the trucks referenced in the Ohio BMV Heavy Vehicle Use Tax Form, dated 5-29-1991. Trucks were owned prior to that date. Notice small evergreen tree at rear of blue truck, is now over 25 feet tall.

Article 2-The Mack Truck in the two pictures is referenced in the accompanying paperwork showing when the truck and trailer were purchased. Heavy truck as far back as 1-1992. 1st photo showing Mack Truck in front of 5323 Tompkins Ave. Second photo showing same truck and trailer with large forklift.

Article 3-Photo from 2002 showing large (54,000 GVW) truck referenced in attached insurance papers in front of 5323 Tompkins Ave. Second picture shows same truck and loader on jobsite. The single photo shows my less than (1) one year old daughter and myself on a loader with a truck in the background at 5323 Tompkins Avenue in 1989. This illustrates once again that my neighbors assertion that we have not have trucks and equipment at this address for many years is patently false.

Article 4 and 5-Aerial Photo from 2001 showing our property @ 5323 Tompkins Avenue, with trucks parked on the street and across the railroad tracks showing that this has been commercial/industrial property with heavy trucks for many years. Photo also shows towards the southwest the old Dunbar community and heavy wooded area to the rear of our property and the same view from 2006, showing the Gorilla Glue factory where residences used to be. It also shows the Multi-Family units now located behind our property.

This affidavit is hereby made a part of the previous filings dated, 6-7-2007, 4-19-2010 and 6-21-2010.



# City of Cincinnati

Department of Community Development  
Division of Property Maintenance Code Enforcement

Milton R. Dohoney Jr.  
*City Manager*

Michael L. Cervay  
*Director*

Edward P. Cunningham  
*Division Manager*

October 21, 2010

RENDER JENNIFER J  
5323 TOMPKINS AVE  
CINCINNATI OH 45227-2122

Business Development  
and Permit Center  
3300 Central Parkway  
Cincinnati, Ohio 45225  
Phone (513) 352-3275  
Fax (513) 564-1708

CASE NUMBER: B201000220

Re: 5323 TOMPKINS AV BPP: 003600010017

## INSPECTOR CONTACT NOTICE

To: RENDER JENNIFER J

On May 4, 2010 , a notice containing violations of the Cincinnati Building Code (CBC) concerning the subject property was sent to you as owner of record. The notice of violations stipulated a reasonable time for you to bring the premises into compliance with the provisions of the CBC. Our records indicate that a case is still active at the subject address. **Please contact me as soon as possible at 352-3944 between 7:00 to 9:00 A.M. to resolve this matter.**

Sincerely,

Ted Langston  
District Inspector

# City of Cincinnati

Department of Community Development  
Division of Property Maintenance Code Enforcement



Milton R. Dohoney Jr.  
*City Manager*

Michael L. Cervay  
*Director*

Edward P. Cunningham  
*Division Manager*

One Centennial Plaza  
705 Central Avenue  
Fourth Floor  
Cincinnati, Ohio 45202  
Phone (513) 352-3275  
Fax (513) 564 -1708

PITTS THOMAS  
5323 TOMPKINS AVE  
CINCINNATI OH 45227-2122

Re: 5323 TOMPKINS AV Auditor ID BPP: 003600010017

## NOTICE OF VIOLATION

Case number: B201200448

**NOTICE DATE: May 03, 2012**

To: PITTS THOMAS

**This letter is a notice of violation and order issued pursuant to 1451-01. Cincinnati-Ohio Zoning Code (CZC).** Each code violation in the attached **violation listing** includes the action necessary to correct the violation. Unless otherwise specified in a violation, you are required to make the noted corrections by 06/02/2012. **Please call me at 352-3944 between 7:00 to 9:00 a.m. to acknowledge receipt of this notice and ask questions.** If I do not hear from you within ten days of the date of this notice, a copy of this notice will be posted on the building. Failure to correct the noted defects within the time specified could result in civil or criminal enforcement actions.

You have a right to appeal certain orders under Sections 1449-09 CZC within 30 days of the date of this notice by filing an appeal with the Zoning Board of Appeals at 3300 Central Parkway, Cincinnati, Ohio, 45225.

Your cooperation in correcting these violations will assist the City of Cincinnati in maintaining quality housing and property conditions in your neighborhood.

Sincerely,

Ted Langston  
District Inspector

Doc# CODE6808



**VIOLATION LISTING**

5/03/2012

B201200448

**STORAGE OF VEHICLES-CONTRACTOR**

Per the affidavit on file sworn and subscribed to April 19th 2010, parking of commercial vehicles and storage will be behind berm and at the rear of house in the west-southwest quadrant.

Discontinue the storage of motor vehicles and contractor material in the side yard. Parking and storage must remain in the rear yard west-southwest quadrant.

1400-05. (b) Cincinnati Ohio Zoning Code.

**EXPANSION OF NONCONFORMING USE**

A residential garage was constructed under a residential alteration permit that has yet to be completed. The garage is used for business storage and constitutes an illegal expansion of the nonconforming commercial use of the property. Discontinue illegal use of the garage.

The nonconforming use of the premises has been expanded without first having applied for expansion and without having obtained approval from the zoning hearing examiner. Return the use to that lawfully existing at the time of adoption of the zoning code.

§ 1447-03. - Authority to Continue and Maintain.

Nonconforming uses and structures may be continued as follows:

(a) Continuation of Nonconforming Use. A nonconforming use that lawfully occupies a structure or a land site on the effective date of this Code may be continued so long as it remains otherwise lawful, subject to the standards and limitations in this chapter.

(b) Continuation of Nonconforming Structure. A nonconforming structure that lawfully occupies a lot on the effective date of the Cincinnati Zoning Code and that does not conform with the standards for yards, buffers, height, gross floor area of structures, driveways, location of parking or open space for the district in which the structure is located may be used and maintained, subject to the standards and limitations in this chapter.

(c) Continuation of Nonconforming Accessory Uses and Structures. The continued existence of nonconforming accessory uses and structures is subject to the provisions governing principal nonconforming uses and structures set forth in this chapter.

(d) Maintenance, Repair and Structural Safety. Normal maintenance and incidental repair may be performed on a conforming structure that contains a nonconforming use or on a nonconforming structure.

**3 PORTABLE STORAGE CONTAINER**

Discontinue use of portable storage containers not in compliance with section 1419-24.24 CZC

§ 1419-24. - Portable Storage Containers.

(a) Location. Portable storage containers must be located on a paved surface and be setback a minimum of ten feet from the front lot line.

(b) Maximum Size. The maximum size for a portable storage container is 8 feet by 16 feet with a maximum



height of 8 feet 6 inches.

(c) Time Limitation. Portable storage containers are permitted for a total of 30 days within a calendar year.

(d) Number Permitted. Two portable storage containers may be placed on a lot at the same time.

PECK, HANNAFORD & BRIGGS - 4673 SPRINGGROVE AVE 45232  
MEIJER - 4825B MARBURG AVE 45209  
MAYERS ELECTRIC - 4004 ERIE CT 45227  
AIRECON - 5271 BROTHERTON RD. 45227  
ATKINS & STANG - 1031 META DR 45237  
MARATHON Station MITCHELL AVE.







|      |             |             |      |             |                     |               |
|------|-------------|-------------|------|-------------|---------------------|---------------|
| Home | Do Business | Live & Work | Play | Departments | Services & Payments | City Projects |
|------|-------------|-------------|------|-------------|---------------------|---------------|

## ezTrak — Code Enforcement Reviews — Address Search

Complaint # Address Community Parcel ID

Use this screen to search for Code Violations by Address.

## Address Search

Exact Street Number: 5323

[Explanation of the Different Complaint Status Levels](#)

Street Name: tompkins

☐ Check for all addresses for this building.

Search

Export to Excel

Street Numbers are Required.  
Street Names are Optional.  
Do not include St., Ave., Ct., etc.  
1713 VI will find 1713 VINE and 1713 VINTON.

Select a complaint # below for itemized violations and inspections.

| COMPLAINT/Violations       | ADDRESS          | TYPE        | STATUS  | OWNER                 | DATE REPORTED | DESCRIPTION   | MAP COMPLAINT          |
|----------------------------|------------------|-------------|---------|-----------------------|---------------|---|------------------------|
| <a href="#">BC20050230</a> | 5323 TOMPKINS AV | COMM CODE   | CLOSED  | RENDER JENNIFER J     | 09/13/2005    | Operating a large truck company in a residential area   | <a href="#">Map It</a> |
| <a href="#">B200600911</a> | 5323 TOMPKINS AV | ZONING CODE | CLOSED  | RENDER JENNIFER J     | 03/14/2006    | ANONYMOUS CALLER STATES 5323 TOMPKINS AV IS A RESIDENCE, OWNER IS OPERATING A CONCRETE TRUCKING BUSINESS, 5-6 PIECES OF EQUIPMENT PRESENT ON PROPERTY.  | <a href="#">Map It</a> |
| <a href="#">B200700454</a> | 5323 TOMPKINS AV | ZONING CODE | CLOSED  | RENDER JENNIFER J     | 03/02/2007    | OPERATING CONSTRUCTION YARD IN RESIDENTIAL AREA 1) What is the current use of the building? RESIDENTIAL 2) What was the prior use of the building? RESIDENTIAL 3) Have you personally seen evidence of a possible illegal use. YES                                | <a href="#">Map It</a> |
| <a href="#">B200700454</a> | 5323 TOMPKINS AV | ZONING CODE | CLOSED  | PITTS JENNIFER RENDER | 03/02/2007    | OPERATING CONSTRUCTION YARD IN RESIDENTIAL AREA 1) What is the current use of the building? RESIDENTIAL 2) What was the prior use of the building? RESIDENTIAL 3) Have you personally seen evidence of a possible illegal use. YES                                | <a href="#">Map It</a> |
| <a href="#">B201000220</a> | 5323 TOMPKINS AV | ZONING CODE | CLOSED  | RENDER JENNIFER J     | 05/03/2010    | Parking commercial vehicles in a residential zone. 1) Is this a residential or commercial property? Residential 2) What kind of business is being operated in the house? Concrete paving company 3) Have you personally observed the activity? yes                | <a href="#">Map It</a> |
| <a href="#">B201200448</a> | 5323 TOMPKINS AV | ZONING CODE | REISSUE | RENDER JENNIFER J     | 05/03/2012    | Owner has expanded non-conforming use business 1) What is the current use of the building? Resident & "crete-busters" 2) What was the prior use of the building? same 3) Have you personally seen evidence of a possible illegal use. yes                         | <a href="#">Map It</a> |
| <a href="#">B201200448</a> | 5323 TOMPKINS AV | ZONING CODE | REISSUE | PITTS THOMAS          | 05/03/2012    | Owner has expanded non-conforming use business 1) What is the current use of the building? Resident & "crete-busters" 2) What was the prior use of the building? same 3) Have you personally seen evidence of a possible illegal use. yes                         | <a href="#">Map It</a> |
| <a href="#">B201201131</a> | 5323 TOMPKINS AV | ZONING CODE | ORDERS  | RENDER JENNIFER J     | 07/03/2012    | Expansion of an approved, non-conforming use business in a residential zone 1) Is this a residential or commercial property? residential 2) What kind of business is being operated in the house? crete busters 3) Have you personally observed the activity? yes | <a href="#">Map It</a> |
| <a href="#">B201201131</a> | 5323 TOMPKINS AV | ZONING CODE | ORDERS  | PITTS THOMAS          | 07/03/2012    | Expansion of an approved, non-conforming use business in a residential zone 1) Is this a residential or commercial property? residential 2) What kind of business is being operated in the house? crete busters 3) Have you personally observed the activity? yes | <a href="#">Map It</a> |

The affidavit must clearly indicate the number of vehicles with specifications, that were parked on site only (before 2/13/04).

The affidavit is not a letter addressed to a city employee (i.e. Ms. Hill).

The affidavit is your attesting to the nonconforming use of items that these items retained their legal nonconforming rights.

NOTE FROM MS. CAIVENTE HILL